



RECEIVED

March 4, 2004

MAR - 4 2004

BY FIRST CLASS U.S. MAIL

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *WC Docket No. 02-359*

Dear Ms. Dortch:

Cavalier Telephone, LLC ("Cavalier") responds to the March 1, 2004 submission of supplemental authority by Verizon Virginia Inc. ("Verizon").

First, the supplemental authority submitted by Verizon is utterly inapposite. As the parties have already made clear in this proceeding, Cavalier's effort to impose a winback charge on Verizon by means of tariff revision was rejected by the Staff of the State Corporation Commission of Virginia, which stated that "such charges should be in the appropriate interconnection agreement, not the CLEC tariff." (See January 27, 2003 letter, Tab "A" to this letter.) It makes no difference that the New York Public Service Commission ("NYPSC") reached a similar conclusion in a different jurisdiction on different facts.

Second, if tariffed winback charges were really at issue in this case, then the Commission should look to relevant decisions involving affiliates of Cavalier and Verizon. Both the Delaware and Maryland state commissions have accepted Cavalier's tariffed winback charges, as well as tariffed charges for "truck rolls." (See September 12, 2003 Memorandum from Delaware Public Service Commission, Tab "B" to this letter; September 25, 2003 letter from Maryland Public Service Commission, Tab "C" to this letter.) The NYPSC's differing conclusion, in a different jurisdiction, on different facts, should hold no sway.

Third, the facts recounted in the NYPSC's decision are not analogous to the facts before the Commission in this case. As Cavalier's witness testified with respect to winbacks at the October 17, 2003 hearing, Cavalier receives a local service request (LSR) or access service request (ASR) from Verizon, enters it into its operations support system (OSS), provides a firm order confirmation (FOC) date, issues a disconnect, removes translations from its switches, stops billing, issues a disconnect order for assigned facilities, and has a technician to pull the porting out of Cavalier's switches. (See

No. of Copies rec'd
List ABCDE

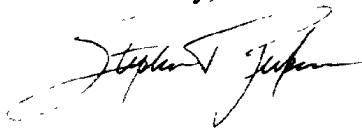
014

October 17, 2003 Transcript at p. 636, line 22 to p. 639, line 10.) Moreover, Verizon charges Cavalier for the LSR to disconnect the loop, on top of other charges for the initial order and any changes. (*Id.* at p. 639, line 11 to p. 640, line 2.) Verizon's witness confirmed that Verizon charges Cavalier when Verizon "wins back" a customer, (*id.* at p. 641, lines 13-14), although she did seem to hedge a bit (*id.* at p. 641, line 19). Unlike the situation apparently involved in the NYPSC tariff decision, the record in this arbitration clearly supports the Commission's finding that a winback charge is appropriate.

Finally, Verizon's proffer of purported supplemental authority should be rejected because Verizon once more seeks to renege on its agreement to include winback charges in the interconnection agreement. Although Verizon initially agreed to "include a provision allowing for Cavalier to charge Verizon the same amounts charged by Verizon for parallel functions," it later sought to back off that position by claiming that Cavalier performed no "parallel functions." However, the record shows that Verizon imposes many more charges on Cavalier than Cavalier ever sought to impose on Verizon, and that the only "non-parallel function" seems to be Verizon's hooking up or unhooking a cross-connect on the main distribution frame. Now, having failed to present sufficient evidence to support its position, Verizon tries to use an inapposite NYPSC tariff decision to undermine the Commission's decision by arguing "facts" not in evidence—"facts" that contradict the testimony of Cavalier's witness and Verizon's own witness. Cavalier respectfully submits that the Commission should reject Verizon's lamentably inadequate and dilatory effort to alter the Commission's decision on winback charges.

Please contact me at 804.422.4517 if you have any questions. Thank you.

Sincerely,



Stephen T. Perkins
Counsel for Petitioner

cc: Karen Zacharia, Esquire
Kimberly A. Newman, Esquire

A

COMMONWEALTH OF VIRGINIA



WILLIAM IRBY
DIRECTOR

BOX 1197
RICHMOND, VA 23218
TELEPHONE: (804) 371-9420
FAX: (804) 371-9069

KATHLEEN A. CUMMINGS
DEPUTY DIRECTOR

STEVEN C. BRADLEY
DEPUTY DIRECTOR

STATE CORPORATION COMMISSION DIVISION OF COMMUNICATIONS January 27, 2003

Mr. Martin Clift, Jr.
Vice President - Regulatory Affairs
Cavalier Telephone, LLC
Fax Letter To: 422-4599

Dear Mr. Clift:

Staff is returning as unacceptable Cavalier's January 21, 2003 filing that proposed UNE Loop Service charges .

This filing is in violation of the CLEC Rate Cap rules under 20VAC 5-400-180, and did not comply with the 30 day filing interval for this type of filing.

The tariff is not clear as to whom these charges will be billed, the subscriber or the UNE Loop provider. Those applying to the subscriber would fall under the rate cap rule addressed above, however, if they apply to the loop supplier then such charges should be in the appropriate interconnection agreement, not the CLEC tariff.

The filing will be returned under separate letter.

A handwritten signature in dark ink, appearing to read "Garland Hines".
Garland Hines
Senior Telecommunications Specialist

CC:

K. Cummings
J. Coleman

B



STATE OF DELAWARE
PUBLIC SERVICE COMMISSION
861 SILVER LAKE BOULEVARD
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE: (302) 739-4247
FAX: (302) 739-4049

September 12, 2003

MEMORANDUM

TO: The File

FROM: Jim Strong, Public Utilities Analyst *JS*

SUBJECT: In the Matter of the Tariff Filing by Cavalier Telephone Mid-Atlantic, L.L.C. to Introduce the UNE Loop Support Service Language (Filed September 9, 2003) - PSC Docket No. 03-390T

On September 9, 2003, Cavalier Telephone Mid-Atlantic, L.L.C. ("Cavalier" or "the Company") filed tariff pages to: (1) update the check sheet and Table of Contents; (2) introduce UNE Loop Support Service; (3) introduce Business Communications Essentials rates and service tariff language; and, (4) introduce business Bundled Services rates and service tariff language

Cavalier submitted tariff pages to reflect the proposed changes. The Company's filing complies with the rules in Commission Order No. 5521 of PSC Regulation Dockets Nos. 10 and 45. According to Order No. 5521, tariff revisions with changes that include the introduction of a new service may become effective ten (10) days after notifying the Commission.

Therefore, based on Staff's review, I recommend that the Commission take no action to prevent the following filed tariff sheets to become effective September 14, 2003: 1st Revised Pages 1, 2, and 3, Original Pages 72.1, 72.2, 72.3, 79 and 80. No further Commission action will be taken on this matter unless any party makes a formal objection or inquiry.

CC: Connie McDowell



September 8, 2003
Via Overnight Delivery

210 N Park Ave
Winter Park, FL
32789

Ms. Karen J. Nickerson, Secretary
Delaware Public Service Commission
861 Silver Lake Boulevard, Suite 100
Cannon Building
Dover, DE 19904

P.O. Drawer 200
Winter Park, FL
32790-0200

Tel 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

RE: Cavalier Telephone Mid-Atlantic, L.L.C. – Local Tariff Revision

Dear Ms. Nickerson:

Enclosed for filing are the original and four (4) copies of this letter and local tariff revision, Delaware Tariff No. 1, filed on behalf of Cavalier Telephone Mid-Atlantic, L.L.C. This filing adds new services. Also enclosed is a check in the amount of \$50.00 to cover the filing fee. The Company respectfully requests an effective date of September 19, 2003.

Pages included with this filing:

1st Revised Page 1	Updates Check Sheet
1st Revised Page 2	Updates Table of Contents
1st Revised Page 3	Updates Table of Contents
Original Pages 72.1-72.2	Adds UNE Loop Support Service
Original Page 72.3	Adds Business Communications Essentials
Original Page 79	Adds Bundled Services descriptions
Original Page 80	Adds Bundled Services rates

Please acknowledge receipt of this filing by returning, date-stamped, the extra copy of this cover letter in the self-addressed, stamped-envelope that is provided for this purpose. Any questions you may have regarding this filing may be directed to me at (407) 740-8575 or via e-mail at croesel@tminc.com. Thank you for your assistance.

Sincerely,

Carey Roesel, Consultant to
Cavalier Telephone Mid-Atlantic, L.L.C.

CR/gs
Enclosures

cc: Marty Clift – Cavalier
file: Cavalier – DE Local
tms: DE10301

TECHNOLOGIES MANAGEMENT, INC.

P.O. BOX 200
WINTER PARK, FL 32790-0200
(407) 740-8575

AMSOUTH BANK
THE RELATIONSHIP PEOPLE
63-466/631

365

PAY TO THE
ORDER OF Delaware Public Service Commission

9/8/2003

Fifty and 00/100*****

\$ **50.00

DOLLAR

Delaware Public Service Commission

State of Delaware

861 Silver Lake Blvd.

Cannon Building Suite # 100

Dover, DE 19904

MEMO:

Filing fee for Cavalier

TECHNOLOGIES MANAGEMENT, INC.

Cavalier

⑈036516⑈ ⑈063104668⑈ 3720575084⑈

SECURITY FEATURES: MICRO PRINT TOP & BOTTOM BORDERS - COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

TECHNOLOGIES MANAGEMENT, INC.

Delaware Public Service Commission

Date	Type	Reference
09/08/2003	Bill	cavalier

Original Amt.
50.00

Balance Due
50.00

9/8/2003

Discount

Check Amount

Payment
50.00
50.00

36516

Amsouth New Operating Filing fee for Cavalier

50.00

DELAWARE PUBLIC SERVICE COMMISSION
FILING COVER SHEET

For PSC Use only:

Docket No. _____

Filing Date: _____

Reviewer: _____

Given to: _____

1. NAME OF APPLICANT: Cavalier Telephone Mid-Atlantic, L.L.C.

2. TYPE OF FILING: RATE CHANGE ☐
FUEL ADJUSTMENT ☐
ADMINISTRATIVE ☐
CPCN ☐
NEW SERVICE OFFERING ☒
OTHER ☐

IF A TELECOMMUNICATIONS FILING, WHAT TYPE OF SERVICE IS IMPACTED? (PLEASE CHECK)

BASIC ☒ COMPETITIVE ☐ DISCRETIONARY ☐

3. PROPOSED EFFECTIVE DATE: September 19, 2003

IS EXPEDITED TREATMENT REQUESTED?: YES ☐ NO ☒

4. SHORT SYNOPSIS OF FILING: Adding new services

5. DOES THIS FILING RELATE TO PENDING DOCKETS?: YES ☐ NO ☒

IF SO, PLEASE LIST DOCKET(S) NO(S): _____

6. IS PUBLIC NOTICE REQUIRED: YES ☐ NO ☒

IF YES, PLEASE ATTACH COPY OF PROPOSED PUBLIC NOTICE.

7. APPLICANT'S CONTACT Name: Carey Roesel
PERSON: Title: Consultant to Cavalier Telephone Mid-Atlantic, L.L.C.
Phone: (407) 740-8575
Fax: (407) 740-0613

8. DID YOU PROVIDE A COMPLETE COPY OF THE FILING TO THE PUBLIC ADVOCATE?

YES ☐ NO ☒ IF SO, WHEN? _____

9. FILING FEE ENCLOSED: Amount: \$50.00

NOTE: House Bill 681, enacted into law 7/13/98, authorizes the Commission to recover the cost of time spent by in-house staff to process all filing initiated after the date of enactment. You may be required to reimburse the Commission for staff time.

CHECK SHEET

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

PAGE	REVISION	PAGE	REVISION	PAGE	REVISION
Title	Original	30	Original	60	Original
1	First*	31	Original	61	Original
2	First*	32	Original	62	Original
3	First*	33	Original	63	Original
4	Original	34	Original	64	Original
5	Original	35	Original	65	Original
6	Original	36	Original	66	Original
7	Original	37	Original	67	Original
8	Original	38	Original	68	Original
9	Original	39	Original	69	Original
10	Original	40	Original	70	Original
11	Original	41	Original	71	Original
12	Original	42	Original	72	Original
13	Original	43	Original	72.1	Original*
14	Original	44	Original	72.2	Original*
15	Original	45	Original	72.3	Original*
16	Original	46	Original	73	Original
17	Original	47	Original	74	Original
18	Original	48	Original	75	Original
19	Original	49	Original	76	Original
20	Original	50	Original	77	Original
21	Original	51	Original	78	Original
22	Original	52	Original	79	Original*
23	Original	53	Original	80	Original*
24	Original	54	Original		
25	Original	55	Original		
26	Original	56	Original		
27	Original	57	Original		
28	Original	58	Original		
29	Original	59	Original		

Issued: September 9, 2003

Effective: September 19, 2003

Issued By:

Martin Clift, Vice President Regulatory
2134 W. Laburnum Ave.
Richmond, Virginia 23227

DE10301

TABLE OF CONTENTS

Check Sheet.....	1
Table of Contents	2
Explanation of Symbols and Abbreviations	4
Application of Tariff.....	5
SECTION 1 - DEFINITIONS	6
SECTION 2 - REGULATIONS	12
2.1 Undertaking of the Company	12
2.2 Prohibited Uses.....	20
2.3 Obligations of the Customer.....	21
2.4 Customer Equipment and Channels	23
2.5 Payment Arrangements	26
2.6 Allowances for Interruptions of Service.....	40
2.7 Cancellation of Service	41
2.8 Transfers and Assignments	42
2.9 Notices and Communications.....	42
2.10 Toll Regions	43
SECTION 3 - SERVICE DESCRIPTIONS	50
3.1 Local Exchange Service	50
3.2 Local Service Area Calling Service Options.....	59
3.3 Directory Listings.....	59
SECTION 4 - LOCAL/NATIONAL DIRECTORY ASSISTANCE	64
4.1 General	64
4.2 Regulations	64
SECTION 5 - MISCELLANEOUS SERVICES	65
5.1 Operator Assisted Local Call Service	65
5.2 Busy Line Verify and Line Interrupt Service	66
5.3 700/900 Blocking Options	66
5.4 Emergency 911 Interconnection Services	67
5.5 Telecommunications Relay Service (TRS)	69
5.6 Custom Calling Services	69
5.7 Pre-subscribed Intra and Inter LATA Carrier Charges	72
5.8 Non-routine Installation	72
5.9 Cavalier UNE Loop Support Service	72.1
5.10 Cavalier Business Communications Essentials	72.3

(N)

(N)

Issued: September 9, 2003

Effective: September 19, 2003

Issued By:

Martin Clift, Vice President Regulatory
2134 W. Laburnum Ave.
Richmond, Virginia 23227

DEI0301

TABLE OF CONTENTS, (CONT'D.)

SECTION 6 – APPLICATION OF RATES	73
6.1 Introduction	73
6.2 Charges Based on Duration of Use	73
6.3 Time Periods (Local Time)	73
SECTION 7 – GENERAL EXCHANGE SERVICE	74
7.1 Summary of Line/Trunk Charges	74
7.2 Directory Listings	76
7.3 Directory Assistance	76
7.4 Miscellaneous Services	76
7.5 Emergency 911 Service.....	78
7.8 Maintenance Visit Charge	78
SECTION 8 – BUNDLED SERVICES DESCRIPTIONS	79
8.1 Introduction	79
8.2 Business Bundles.....	79

(N)
|
(N)

Issued: September 9, 2003

Effective: September 19, 2003

Issued By:

Martin Clift, Vice President Regulatory
2134 W. Laburnum Ave.
Richmond, Virginia 23227

DE10301

SECTION 5 – MISCELLANEOUS SERVICES, (CONT'D.)

5.9 Cavalier UNE Loop Support Service

Cavalier UNE Support Service provides order processing and technical assistance to a UNE supplier for either the delivery of a UNE loop to a customer or a loop returned to the supplier. The service is categorized into five principal service areas:

Winbacks – when a customer disconnects their service with Cavalier and the UNE loop is returned to its supplier, a processing charge is imposed. This fee encompasses the communication of orders between the two companies as well as the removal of the loop from any Cavalier database and switch, so that that loop can be provisioned back to the supplier.

Premise Visit – New Loops and Hot Cuts – a separate charge is imposed when a Cavalier technician makes a premise visit to service a UNE loop at installation when the installation did not produce service for the customer.

Missed Appointments – a separate charge is imposed when a customer appointment is made with the UNE supplier, and that supplier misses or is late for the appointment. A fifteen-minute grace period is permitted before charges are initiated.

Premise Visit – Maintenance – a separate charge is imposed when a Cavalier technician makes a premise visit for maintenance and repair of a defective loop, not cleared by the UNE loop supplier.

SECTION 5 – MISCELLANEOUS SERVICES, (CONT'D.)

5.9 Cavalier UNE Loop Support Service (Cont'd)

(N)

Winbacks

Processing Charge	\$35.00
-------------------	---------

Premise Visit – New Loops and Hot Cuts

Prem	\$110.02
Total	<u>\$110.02</u>

Missed Appointment Charge

Initial	\$50.00
Qtr Hour	\$16.00
Total	<u>\$66.00</u>

Premise Visit – Maintenance

Prem	\$110.02
Total	<u>\$110.02</u>

(N)

Issued: September 9, 2003

Effective: September 19, 2003

Issued By:

Martin Clift, Vice President Regulatory
2134 W. Laburnum Ave.
Richmond, Virginia 23227

DE10301

SECTION 5 – MISCELLANEOUS SERVICES, (CONT'D.)**5.10 Cavalier Business Communications Essentials**

(N)

Cavalier Business Communications Essentials offers unlimited local and long distance voice calling to locations throughout the 48 contiguous U.S. states to new Cavalier customers. The package rate is exclusive of taxes, Federal Subscriber Line Charge, Universal Service fee and other charges. Customer billing name and address must be the same for each Cavalier account. Features are available on an a la carte basis. The package rate does not include, operator assisted, directory assistance, calling card or inbound calls. Cavalier Business Communications Essentials is only available to new accounts with 10 lines or fewer.

Cavalier Business Communications Essentials is designed for customers who use their phone lines primarily for voice calling. This product is not intended for phone lines that are connected to the Internet for extended periods of time. If Cavalier Business Communications Essentials service is used to access the internet for significant periods of time (in excess of 5000 minutes per month), an additional monthly charge for internet/data use may be assessed.

Per Line Per Month

\$54.99

(N)

Issued: September 9, 2003

Effective: September 19, 2003

Issued By:

Martin Clift, Vice President Regulatory
2134 W. Laburnum Ave.
Richmond, Virginia 23227

DE10301

SECTION 8 - BUNDLED SERVICES DESCRIPTIONS

(N)

8.1 Introduction

This section contains optional bundled offerings of the Company that include regulated local exchange services along with regulated services under another tariff of the Company as well as non-regulated services such as internet access and voice mail. Those services included in these bundles that are not covered by the Company's local exchange service tariff will be marked with the following symbol, *, where they will appear in the service description and regulations in this special section of the tariff.

8.2 Business Bundles

Two business service packages are offered providing different bundled combinations of unlimited calling and long distance.

8.2.1 Unlimited Local Usage, Long Distance Bundle

This rate plan includes unlimited inbound and outbound calls within the customer's local calling area and 100 minutes of LD per line spread over all the lines. If a customer has 10 lines, they will get a total of 1000 minutes of LD to be used over all their business lines. All long distance calls after the allowance will be \$0.05cents per minute.

8.2.2 Unlimited Local

This rate plan includes unlimited inbound and outbound calls within the customer's local calling area. This plan does not include any bundled long distance minutes. If the customer selects Cavalier Long Distance all long distance calls will be \$0.05 cents per minute.

(N)

Issued: September 9, 2003

Effective: September 19, 2003

Issued By:

Martin Clift, Vice President Regulatory
2134 W. Laburnum Ave.
Richmond, Virginia 23227

DE10301

SECTION 8 - BUNDLED SERVICES DESCRIPTIONS, (CONT'D.)

8.2 Business Bundles, (Cont'd)

8.2.3 Bundled Services Rates

	Month	12 month	36 month	60 month
Unlimited w/long distance	\$28.62	\$27.97	\$26.81	\$25.86
Unlimited local	\$24.62	\$23.97	\$22.81	\$21.86

(N)

(N)

Issued: September 9, 2003

Effective: September 19, 2003

Issued By:

Martin Clift, Vice President Regulatory
2134 W. Laburnum Ave.
Richmond, Virginia 23227

DE10301

C

COMMISSIONERS

KENNETH D. SCHISLER
CHAIRMAN

J. JOSEPH CURRAN, III
GAIL C. McDONALD
RONALD A. GUNS
HAROLD D. WILLIAMS

STATE OF MARYLAND



PUBLIC SERVICE COMMISSION

SUSAN S. MILLER
GENERAL COUNSEL

FELECIA L. GREER
EXECUTIVE SECRETARY

GREGORY V. CARMEAN
EXECUTIVE DIRECTOR

ML# 89427 and 89560

September 25, 2003

Mr. Martin W. Clift, Jr.
Vice President - Regulatory
Cavalier Telephone Mid-Atlantic, LLC
2134 West Laburnum Avenue
Richmond, VA 23227

Dear Mr. Clift:

This is to advise you that the Commission has reviewed the tariff revisions filed on September 9, 2003 and September 18, 2003 by Cavalier Telephone Mid-Atlantic, LLC.

After considering this matter, the Commission accepted the tariff revisions for filing with an effective date of September 23, 2003. Acceptance for filing does not constitute a final determination by the Commission that the tariff complies with the rules and regulations governing telecommunications carriers in Maryland.

By Direction of the Commission,

A handwritten signature in black ink, appearing to read "Felecia L. Greer".

Felecia L. Greer
Executive Secretary

rmw



210 N Park Ave
Winter Park, FL
32789

PO Drawer 200
Winter Park, FL
32790-0200

Tel 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

September 17, 2003
Via Overnight

Ms. Felecia Greer, Secretary
Maryland Public Service Commission
6 St. Paul Street
Baltimore, Maryland 21202

Re: Tariff Revision for Local Exchange Services Tariff of
Cavalier Telephone Mid-Atlantic - PSC MD Tariff No. 1
Mail Log# 89427; TE-6915

Dear Ms. Greer:

Enclosed for filing are the original and seven (7) clean copies of a replacement page to PSC MD Tariff No. 1, filed on behalf of Cavalier Telephone Mid-Atlantic. As discussed with Jerry Hughes of MD staff, this filing clarifies language to the UNE Loop Support Service. The Company again respectfully requests an effective date of September 23, 2003, for this filing.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided. Any questions you may have pertaining to this filing may be directed to me at (407) 740-8575 or via email at croesel@tminc.com. Thank you for your assistance.

Sincerely,

for Carey Roesel
Consultant to Cavalier Telephone Mid-Atlantic

CR/gs
Enclosure

cc: Marty Clift - Cavalier
file: Cavalier - MD Local
tms: MD10301a

SECTION 8 - MISCELLANEOUS SERVICES (Cont'd)

8.7 Presubscribed Intra and Inter LATA Carrier Change

Customers may presubscribe their local access line(s) to their intrastate, intraLATA and interLATA long distance carrier(s) of their choice. Following the Customer's initial presubscription of each line, any subsequent change will incur a separate charge.

8.8 Non-Routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

8.9 Cavalier UNE Loop Support Service

Cavalier UNE Support Service provides order processing and technical assistance to a UNE supplier for either the delivery of a UNE loop to a customer or a loop returned to the supplier. All Cavalier UNE Loop support service charges are billed to the UNE supplier. The service is categorized into five principal service areas:

Winbacks – when a customer disconnects their service with Cavalier and the UNE loop is returned to its supplier, a processing charge is imposed. The charge is composed of a service order processing fee and an installation fee. The service order fee encompasses the communication of orders between the two companies. The installation fee encompasses the removal of the loop for any Cavalier database and switch, so that that loop can be provisioned back to the supplier.

Premise Visit – New Loops and Hot Cuts – a separate charge is imposed when a Cavalier technician makes a premise visit to service a UNE loop at installation when the installation did not produce service for the customer.

Missed Appointments – a separate charge is imposed when a customer appointment is made with the UNE supplier, and that supplier misses or is late for the appointment. A fifteen-minute grace period is permitted before charges are initiated.

Premise Visit – Maintenance – a separate charge is imposed when a Cavalier technician makes a premise visit for maintenance and repair of a defective loop, not cleared by the UNE loop supplier.

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301

SECTION 8 - MISCELLANEOUS SERVICES (Cont'd)

8.7 Presubscribed Intra and Inter LATA Carrier Change

Customers may presubscribe their local access line(s) to their intrastate, intraLATA and interLATA long distance carrier(s) of their choice. Following the Customer's initial presubscription of each line, any subsequent change will incur a separate charge.

8.8 Non-Routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

8.9 Cavalier UNE Loop Support Service

Cavalier UNE Support Service provides order processing and technical assistance to a UNE supplier for either the delivery of a UNE loop to a customer or a loop returned to the supplier. The service is categorized into five principal service areas:

Winbacks – when a customer disconnects their service with Cavalier and the UNE loop is returned to its supplier, a processing charge is imposed. The charge is composed of a service order processing fee and an installation fee. The service order fee encompasses the communication of orders between the two companies. The installation fee encompasses the removal of the loop for any Cavalier database and switch, so that that loop can be provisioned back to the supplier.

Premise Visit – New Loops and Hot Cuts – a separate charge is imposed when a Cavalier technician makes a premise visit to service a UNE loop at installation when the installation did not produce service for the customer.

Missed Appointments – a separate charge is imposed when a customer appointment is made with the UNE supplier, and that supplier misses or is late for the appointment. A fifteen-minute grace period is permitted before charges are initiated.

Premise Visit – Maintenance – a separate charge is imposed when a Cavalier technician makes a premise visit for maintenance and repair of a defective loop, not cleared by the UNE loop supplier.

SECTION 8 - MISCELLANEOUS SERVICES (Cont'd)

8.9 Cavalier UNE Loop Support Service(Cont'd)

Winbacks

SO	\$ 9.09
Install	\$116.58
Total	<u>\$125.67</u>

Premise Visit – New Loops and Hot Cuts

Prem	\$18.40
Total	<u>\$18.40</u>

Missed Appointment Charge

Initial	\$50.00
Qtr Hour	\$16.00
Total	<u>\$66.00</u>

8.10 Cavalier Business Communications Essentials

Cavalier Business Communications Essentials offers unlimited local and long distance voice calling to locations throughout the 48 contiguous U.S. states to new Cavalier customers. The package rate is exclusive of taxes, Federal Subscriber Line Charge, Universal Service fee and other charges. Customer billing name and address must be the same for each Cavalier account. Features are available on an a la carte basis. The package rate does not include, operator assisted, directory assistance, calling card or inbound calls. Cavalier Business Communications Essentials is only available to new accounts with 10 lines or fewer.

Cavalier Business Communications Essentials is designed for customers who use their phone lines primarily for voice calling. This product is not intended for phone lines that are connected to the Internet for extended periods of time. If Cavalier Business Communications Essentials service is used to access the internet for significant periods of time (in excess of 5000 minutes per month), an additional monthly charge for internet/data use may be assessed.

Per Line Per Month \$54.99

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301



210 N Park Ave
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790-0200

Tel 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

September 8, 2003
Via Overnight

Ms. Felecia Greer, Secretary
Maryland Public Service Commission
6 St. Paul Street
Baltimore, Maryland 21202

Re: Tariff Revision for Local Exchange Services Tariff of
Cavalier Telephone Mid-Atlantic - PSC MD Tariff No. 1

Dear Ms. Greer:

Enclosed for filing are the original and seven (7) clean copies and one (1) copy in legislative format of a revision to PSC MD Tariff No. 1, filed on behalf of Cavalier Telephone Mid-Atlantic. This filing adds new services. The Company respectfully requests an effective date of September 23, 2003 for this filing. Also enclosed is a check for \$100.00 for the filing fee.

The following pages are included:

1st Revised Page 3	Updates Check Sheet
1st Revised Page 5	Updates Table of Contents
1st Revised Page 68	Adds Cavalier UNE Loop Support Service
Original Page 68.1	Adds Business Communications Essentials
Original Page 81	Adds Bundled Services
Original Page 82	Adds Bundled Services

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided. Any questions you may have pertaining to this filing may be directed to me at (407) 740-8575 or via email at croesel@tminc.com. Thank you for your assistance.

Sincerely,

Carey Roesel
Consultant to Cavalier Telephone MidAtlantic

CR/gs
Enclosure

cc: Marty Clift - Cavalier
file: Cavalier - MD Local
tms: MD10301

TECHNOLOGIES MANAGEMENT, INC.
P.O. BOX 208
WINTER PARK, FL 32790-0208
(407) 740-8575

AMSOUTH BANK
THE RELATIONSHIP PEOPLE
63-466731

365

9/8/2003

PAY TO THE ORDER OF Public Service Commission of Maryland

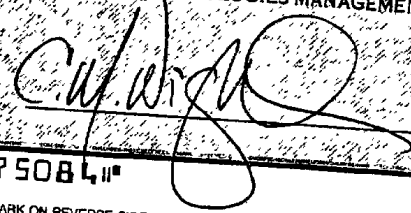
One Hundred and 00/100 ***** \$ **100.00

DOLLAR

Public Service Commission of Maryland

TECHNOLOGIES MANAGEMENT, INC.

MEMO: Filing fee for Cavalier



⑈036517⑈ ⑆063104668⑆ 3720575084⑈

SECURITY FEATURES MICRO PRINT TOP & BOTTOM BORDERS - COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

TECHNOLOGIES MANAGEMENT, INC.

Public Service Commission of Maryland

Date	Type	Reference
09/08/2003	Bill	Cavatie

Original Amt.	Balance Due	Discount	Payment
100.00	100.00		100.00
	Check Amount		100.00

Amsouth New Operating Filing fee for Cavalier

100.00

CLEAN COPY

CHECK SHEET

Sheets 1 through 80 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION
1	Original		29	Original		57	Original
2	Original		30	Original		58	Original
3	First	*	31	Original		59	Original
4	Original		32	Original		60	Original
5	First	*	33	Original		61	Original
6	Original		34	Original		62	Original
7	Original		35	Original		63	Original
8	Original		36	Original		64	Original
9	Original		37	Original		65	Original
10	Original		38	Original		66	Original
11	Original		39	Original		67	Original
12	Original		40	Original		68	First *
13	Original		41	Original		68.1	Original *
14	Original		42	Original		69	Original
15	Original		43	Original		70	Original
16	Original		44	Original		71	Original
17	Original		45	Original		72	Original
18	Original		46	Original		73	Original
19	Original		47	Original		74	Original
20	Original		48	Original		75	Original
21	Original		49	Original		76	Original
22	Original		50	Original		77	Original
23	Original		51	Original		78	Original
24	Original		52	Original		79	Original
25	Original		53	Original		80	Original
26	Original		54	Original		81	Original *
27	Original		55	Original		82	Original *
28	Original		56	Original			

* - indicates those pages included with this filing

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301

TABLE OF CONTENTS

	<u>PAGE</u>	
6. NATIONAL DIRECTORY ASSISTANCE	55	
6.1 General	55	
6.2 Regulations	55	
7. LOCAL CALLING SERVICE AREAS	56	
7.1 Local Service Areas	56	
8. MISCELLANEOUS SERVICES	59	
8.1 Operator Assisted Local Call Service	59	
8.2 Busy Line Verify and Line Interrupt Service	60	
8.3 700/900 Blocking Options	61	
8.4 Emergency 911 Interconnection Services	62	
8.5 Telecommunications Relay Service (TRS)	64	
8.6 Custom Calling Services	64	
8.7 Presubscribed Intra and Inter LATA Carrier Charge	68	
8.8 Non-Routine Installation	68	
8.9 Cavalier UNE Loop Support Service	68	(N)
8.10 Cavalier Business Communications Essentials	68.1	(N)
9. APPLICATION OF RATES	69	
9.1 Introduction	69	
9.2 Charges Based on Duration of Use	69	
9.3 Time Periods (Local Time)	69	
10. GENERAL EXCHANGE SERVICES	70	
10.1 Summary of Line/Trunk Charges	70	
10.2 Directory Listings	72	
10.3 Directory Assistance	72	
10.4 Miscellaneous Services	73	
10.5 Emergency 911 Service	74	
10.6 Maintenance Visit Charge	74	
11. INTRALATA TOLL PRESUBSCRIPTION	75	
11.1 General	75	
11.2 Presubscription Charge Application	76	
11.3 End User/Pay Telephone Service Provider Charge Discrepancy	78	
11.4 PIC Switchback Options	79	
11.5 IntraLATA Preferred Carrier Freeze Selection	80	
11.6 Informational Notice to Customers	80	
11.7 Rates and Charges	80	
12. BUNDLED SERVICES DESCRIPTIONS	81	(N)
12.1 Introduction	81	
12.2 Business Bundles	81	(N)

SECTION 12 - BUNDLED SERVICES DESCRIPTIONS

(N)

12.1 Introduction

This section contains optional bundled offerings of the Company that include regulated local exchange services along with regulated services under another tariff of the Company as well as non-regulated services such as internet access and voice mail. Those services included in these bundles that are not covered by the Company's local exchange service tariff will be marked with the following symbol, *, where they will appear in the service description and regulations in this special section of the tariff.

12.2 Business Bundles

Two business service packages are offered providing different bundled combinations of unlimited calling, message rate calling, and long distance.

12.2.1 Unlimited Local Usage, Long Distance Bundle

This rate plan includes unlimited inbound and outbound calls within the customer's local calling area and 100 minutes of LD per line spread over all the lines. If a customer has 10 lines, they will get a total of 1000 minutes of LD to be used over all their business lines. All long distance calls after the allowance will be \$0.05 cents per minute

12.2.2 Message Rate, Long Distance Bundle

Cavalier's Message Rate product is ideal for small businesses that make a significant amount of calls per month. Each line contains 100 local calls plus 100 minutes of long distance. A 10-line customer will get 1000 local calls and 1000 long distance minutes that can be used over all lines. Local call charge after the allowance is \$0.08 cents per call. All long distance calls after the allowance will be \$0.05 cents per minute.

12.2.3 Unlimited Local

This rate plan includes unlimited inbound and outbound calls within the customer's local calling area. This plan does not include any bundled long distance minutes. If the customer selects Cavalier Long Distance, all long distance calls will be \$0.05 cents per minute.

12.2.4 Message Rate

Cavalier's Message Rate product is ideal for small businesses that make a significant amount of local calls per month. Each line contains 100 local calls. A 10-line customer will get 1000 local calls that can be used over all lines. Local call charge after the allowance is \$0.08 cents per call. This plan does not include any bundled long distance minutes. If the customer selects Cavalier Long Distance, all long distance calls will be \$0.05 cents per minute.

(N)

SECTION 12 - BUNDLED SERVICES DESCRIPTIONS, (CONT'D.)

12.2 Business Bundles, (Cont'd)

12.2.5 Bundled Services Rates

	<u>Month</u>	<u>12 month</u>	<u>36 month</u>	<u>60 month</u>
Unlimited w/long distance	\$43.60	\$41.60	\$39.60	\$38.40
Message Rate w/long distance	\$28.90	\$26.90	\$24.90	\$24.15
Unlimited local	\$39.60	\$37.60	\$35.60	\$34.40
Message Rate*	\$24.90	\$22.90	\$20.90	\$20.15

*100 call allowance @\$.08 per call

(N)

(N)

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301

LEGISLATIVE FORMAT COPY

CHECK SHEET

Sheets 1 through 80 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION
1	Original		29	Original		57	Original
2	Original		30	Original		58	Original
3	First	*	31	Original		59	Original
4	Original		32	Original		60	Original
5	First	*	33	Original		61	Original
6	Original		34	Original		62	Original
7	Original		35	Original		63	Original
8	Original		36	Original		64	Original
9	Original		37	Original		65	Original
10	Original		38	Original		66	Original
11	Original		39	Original		67	Original
12	Original		40	Original		68	First *
13	Original		41	Original		68.1	Original *
14	Original		42	Original		69	Original
15	Original		43	Original		70	Original
16	Original		44	Original		71	Original
17	Original		45	Original		72	Original
18	Original		46	Original		73	Original
19	Original		47	Original		74	Original
20	Original		48	Original		75	Original
21	Original		49	Original		76	Original
22	Original		50	Original		77	Original
23	Original		51	Original		78	Original
24	Original		52	Original		79	Original
25	Original		53	Original		80	Original
26	Original		54	Original		81	Original *
27	Original		55	Original		82	Original *
28	Original		56	Original			

* - indicates those pages included with this filing

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301

TABLE OF CONTENTS

	<u>PAGE</u>	
6. NATIONAL DIRECTORY ASSISTANCE	55	
6.1 General	55	
6.2 Regulations	55	
7. LOCAL CALLING SERVICE AREAS	56	
7.1 Local Service Areas	56	
8. MISCELLANEOUS SERVICES	59	
8.1 Operator Assisted Local Call Service	59	
8.2 Busy Line Verify and Line Interrupt Service	60	
8.3 700/900 Blocking Options	61	
8.4 Emergency 911 Interconnection Services	62	
8.5 Telecommunications Relay Service (TRS)	64	
8.6 Custom Calling Services	64	
8.7 Presubscribed Intra and Inter LATA Carrier Charge	68	
8.8 Non-Routine Installation	68	
8.9 Cavalier UNE Loop Support Service	68	(N)
8.10 Cavalier Business Communications Essentials	68.1	(N)
9. APPLICATION OF RATES	69	
9.1 Introduction	69	
9.2 Charges Based on Duration of Use	69	
9.3 Time Periods (Local Time)	69	
10. GENERAL EXCHANGE SERVICES	70	
10.1 Summary of Line/Trunk Charges	70	
10.2 Directory Listings	72	
10.3 Directory Assistance	72	
10.4 Miscellaneous Services	73	
10.5 Emergency 911 Service	74	
10.6 Maintenance Visit Charge	74	
11. INTRALATA TOLL PRESUBSCRIPTION	75	
11.1 General	75	
11.2 Presubscription Charge Application	76	
11.3 End User/Pay Telephone Service Provider Charge Discrepancy	78	
11.4 PIC Switchback Options	79	
11.5 IntraLATA Preferred Carrier Freeze Selection	80	
11.6 Informational Notice to Customers	80	
11.7 Rates and Charges	80	
12. BUNDLED SERVICES DESCRIPTIONS	81	(N)
12.1 Introduction	81	
12.2 Business Bundles	81	(N)

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301

SECTION 8 - MISCELLANEOUS SERVICES (Cont'd)

8.7 Presubscribed Intra and Inter LATA Carrier Change

Customers may presubscribe their local access line(s) to their intrastate, intraLATA and interLATA long distance carrier(s) of their choice. Following the Customer's initial presubscription of each line, any subsequent change will incur a separate charge.

8.8 Non-Routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

8.9 Cavalier UNE Loop Support Service

Cavalier UNE Support Service provides order processing and technical assistance to a UNE supplier for either the delivery of a UNE loop to a customer or a loop returned to the supplier. The service is categorized into five principal service areas:

Winbacks – when a customer disconnects their service with Cavalier and the UNE loop is returned to its supplier, a processing charge is imposed. The charge is composed of a service order processing fee and an installation fee. The service order fee encompasses the communication of orders between the two companies. The installation fee encompasses the removal of the loop for any Cavalier database and switch, so that that loop can be provisioned back to the supplier.

Premise Visit – New Loops and Hot Cuts – a separate charge is imposed when a Cavalier technician makes a premise visit to service a UNE loop at installation when the installation did not produce service for the customer.

Missed Appointments – a separate charge is imposed when a customer appointment is made with the UNE supplier, and that supplier misses or is late for the appointment. A fifteen-minute grace period is permitted before charges are initiated.

Premise Visit – Maintenance – a separate charge is imposed when a Cavalier technician makes a premise visit for maintenance and repair of a defective loop, not cleared by the UNE loop supplier.

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301

SECTION 12 - BUNDLED SERVICES DESCRIPTIONS

12.1 Introduction

This section contains optional bundled offerings of the Company that include regulated local exchange services along with regulated services under another tariff of the Company as well as non-regulated services such as internet access and voice mail. Those services included in these bundles that are not covered by the Company's local exchange service tariff will be marked with the following symbol, *, where they will appear in the service description and regulations in this special section of the tariff.

12.2 Business Bundles

Two business service packages are offered providing different bundled combinations of unlimited calling, message rate calling, and long distance.

12.2.1 Unlimited Local Usage, Long Distance Bundle

This rate plan includes unlimited inbound and outbound calls within the customer's local calling area and 100 minutes of LD per line spread over all the lines. If a customer has 10 lines, they will get a total of 1000 minutes of LD to be used over all their business lines. All long distance calls after the allowance will be \$0.05 cents per minute.

12.2.2 Message Rate, Long Distance Bundle

Cavalier's Message Rate product is ideal for small businesses that make a significant amount of calls per month. Each line contains 100 local calls plus 100 minutes of long distance. A 10-line customer will get 1000 local calls and 1000 long distance minutes that can be used over all lines. Local call charge after the allowance is \$0.08 cents per call. All long distance calls after the allowance will be \$0.05 cents per minute.

12.2.3 Unlimited Local

This rate plan includes unlimited inbound and outbound calls within the customer's local calling area. This plan does not include any bundled long distance minutes. If the customer selects Cavalier Long Distance, all long distance calls will be \$0.05 cents per minute.

12.2.4 Message Rate

Cavalier's Message Rate product is ideal for small businesses that make a significant amount of local calls per month. Each line contains 100 local calls. A 10-line customer will get 1000 local calls that can be used over all lines. Local call charge after the allowance is \$0.08 cents per call. This plan does not include any bundled long distance minutes. If the customer selects Cavalier Long Distance, all long distance calls will be \$0.05 cents per minute.

SECTION 12 - BUNDLED SERVICES DESCRIPTIONS. (CONT'D.)12.2 Business Bundles. (Cont'd)12.2.5 Bundled Services Rates

	<u>Month</u>	<u>12 month</u>	<u>36 month</u>	<u>60 month</u>
<u>Unlimited w/long distance</u>	<u>\$43.60</u>	<u>\$41.60</u>	<u>\$39.60</u>	<u>\$38.40</u>
<u>Message Rate w/long distance</u>	<u>\$28.90</u>	<u>\$26.90</u>	<u>\$24.90</u>	<u>\$24.15</u>
<u>Unlimited local</u>	<u>\$39.60</u>	<u>\$37.60</u>	<u>\$35.60</u>	<u>\$34.40</u>
<u>Message Rate*</u>	<u>\$24.90</u>	<u>\$22.90</u>	<u>\$20.90</u>	<u>\$20.15</u>

*100 call allowance @\$.08 per call

Issued: September 9, 2003

Effective: September 23, 2003

Martin Clift
Vice President of Regulatory Affairs
Cavalier Telephone Mid-Atlantic
2134 W. Laburnum Ave.
Richmond, Virginia 23227

MD10301